

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES ALLEN KINNEY,

Plaintiff,

v.

GRAYS HARBOR COUNTY SUPERIOR
COURT, et al.,

Defendant.

CASE NO. 3:24-cv-05396-JHC-BAT

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Having reviewed the Report and Recommendation (R&R) of the Honorable Brian A. Tsuchida, United States Magistrate Judge, Dkt. # 5, and the remaining record, the Court
ORDERS:

(1) Plaintiff has not filed an objection to the R&R. The Court's agrees with the analysis in the R&R. Because Plaintiff has incurred three "strikes" under the Prison Litigation Reform Act, he is barred from proceeding *in forma pauperis* unless he shows he was "under imminent danger of serious physical injury" at the time he signed his complaint. *See* 28 U.S.C. § 1915(g). And he does not make such a showing. Thus, the Court ADOPTS the R&R.

1 (2) The Clerk is directed to close this case and to dismiss it without prejudice and
2 strike all other pending proposed motions (Dkts. 4-2, 4-3, 4-4) as moot if Plaintiff fails to pay the
3 filing fee within 14 days of this order.

4 (3) The Clerk is directed to send copies of this Order to the parties and to Judge
5 Tsuchida.

6 Dated this 28th day of June, 2024.

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9 JOHN H. CHUN
United States District Judge